

REMARKS

1. The title of the invention was objected to as not being descriptive. The title has been amended herein to: METHOD FOR CALL TRANSFER BETWEEN FIRST AND SECOND COMMUNICATION UNITS OF A PARTY WHILE ENGAGED IN AN ACTIVE CALL as suggested by the Examiner.

2. The abstract of the disclosure was objected to because it contained the phrase "Methods are disclosed" in line 1 which can be implied. The abstract has been amended herein in a manner that does not use the objected-to phrase and which contains a more complete description of the invention within the range of 50-150 words.

3. Claims 1-4, 6 and 8-12 were rejected under 35 U.S.C. 102(e) as being anticipated by Dorenbosch (US 2003/0073431 A1). Claims 1 and 8 have been amended to more clearly distinguish over Dorenbosch.

Generally, applicant's disclosure describes a method whereby a party engaged in a call using a first communication unit can initiate a call transfer to a second communication unit (e.g., wireless to wireline phone, or vice versa) by entering a code or the like that is received and processed by a switching element (e.g., mobile switching center (MSC)). Responsive to receiving the request, the MSC consults a database to identify a second communication unit that is designated to receive call transfers from the first communication unit. Having identified the second communication unit, the MSC attempts to connect the second communication unit while maintaining a connection to the first communication unit; and if the connection is successful, the MSC drops the first communication unit from the call, thereby transferring the call from the first communication unit to the second communication unit. Claims 1 and 8 have been amended herein to more clearly recite that it is a switching element that performs steps of receiving and responding to the request-- and the switching element identifies the second communication unit coincident to consulting the database responsive to the request. These features are believed to clearly distinguish over Dorenbosch.

Dorenbosch describes a system for transferring communications between alternative devices (e.g., cell phone, conventional phone, PDA, etc.) over a network but which operates substantially differently than applicant's claimed method. Dorenbosch relies upon the alternative devices having respective proximity sensors and secondary communication units (e.g., bluetooth elements) for issuing a close proximity signal when a first device is within close proximity of a second device. The alternative devices have processing elements to process the close proximity signal and determine whether to generate a transfer request based on respective priority levels of the devices. Thus, to the extent Dorenbosch describes initiating a call transfer between a first and second device, the transfer is initiated by the first device itself responsive to processing the close proximity signal from the second device; and then only if the priority level of the second device is higher than the first device. Clearly, the second device is not identified by a switching element responsive to the request, as claimed. Rather, the second device is identified by the first device in advance of the call request based on the proximity signal.

Accordingly, for the reasons stated above, amended claims 1 and 8 are believed to distinguish over Dorenbosch and to be in condition for allowance. Claims 3-4, 6 and 9-12 distinguish over Dorenbosch because they depend from amended claims 1 and 8.

4. Claims 5 and 7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dorenbosch in view of Chow et al. (US 6,587,683 B1). This rejection is respectfully traversed.

Chow was applied to supply the limitation missing from Dorenbosch of determining an enablement status of the first communication unit and, if the first communication unit is not enabled, sending a message to the first communication unit indicating that the requested transfer is not enabled (as in claim 7) or that the requested transfer did not occur (as in claim 5). However, even if Chow could be combined with Dorenbosch, it does not repair the deficiencies of Dorenbosch discussed in relation to amended claim 1; and therefore claims 5 and 7 distinguish over the combination of Dorenbosch and Chow because they depend from amended claim 1.

5. In view of the above amendments and remarks, a notice of allowance of claims 1-12 is respectfully requested. The Commissioner is authorized to charge any additional fees that may be required, or credit any overpayment, to Lucent Technologies Deposit Account No. 12-2325.

Respectfully submitted,

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